

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF MISSISSIPPI
ABERDEEN DIVISION**

ALDER HOLDINGS, LLC

PLAINTIFF

VS.

CAUSE NO.: 1:24-cv-00181-GHD-RP

**THE ALARM COMPANY, LLC
dba ALARM SERVICES GROUP, LLC;
THOMAS BRADY; and JOHN DOE
DEFENDANTS 1-30**

DEFENDANTS

**PLAINTIFF'S RESPONSE TO DEFENDANTS' MOTION TO DISMISS PLAINTIFF'S
COMPLAINT PURSUANT TO FED. R. CIV. PRO. 12(b)(6)**

Plaintiff Alder Holdings, LLC (“Alder”) responds to *Defendants’ Motion to Dismiss* [Doc. #9] as follows:

1. Defendants’ *Motion* should be denied because defendants’ multiple actions of wrongdoing were committed over a period of time up to and including at the present time of filing the *Complaint*, each time creating a separate cause of action; therefore, plaintiff’s *Complaint* is not time barred; plaintiff met federal pleading requirements in their *Complaint*; and defendants’ *Motion* as it relates to the injunctive relief is premature and unsupported. To the extent that dismissal is warranted, dismissal should be without prejudice.

WHEREFORE, PREMISES CONSIDERED, plaintiff respectfully requests the Court enter an Order denying *Defendants’ Motion to Dismiss*.

This the 11th day of December, 2024.

Respectfully submitted,

ALDER HOLDINGS, LLC

/s/ John D. Brady, MSB 9780
Its Attorney

Of Counsel:

Mitchell, McNutt & Sams, P.A.
Attorneys at Law
215 Fifth Street North
Post Office Box 1366
Columbus, Mississippi 39703-1366
Telephone: (662) 328-2316
Facsimile: (662) 328-8035
jbrady@mitchellmcnutt.com

CERTIFICATE OF SERVICE

I hereby certify that on December 11, 2024, I electronically filed the foregoing with the Clerk of the Court using the ECF system and forwarded such filing via United States Postal Service or ECF notification to the following:

Phillip M. LeMere, Esquire
Doris T. Bobadilla, Esquire
Galloway, Johnson, Tompkins, Burr & Smith, A PLC
2510 14th Street, Suite 1010
Gulfport, MS 39501
plemere@gallowaylawfirm.com
dbobadilla@gallowaylawfirm.com
Attorneys for ASG Defendants

Dan W. Webb, Esquire
Webb, Sanders & Williams, PLLC
Post Office Box 496
Tupelo, MS 38802-0496
dwebb@webbsanders.com
Attorney for ASG Defendants

Taylor H. Webb, Esquire
Tollison & Webb, P.A.
Post Office Box 1216
Oxford, MS 38655
taylor@tollisonlaw.com
Attorney for ASG Defendants

This the 11th day of December, 2024.

/s/John D. Brady